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P.R. Sickles

**RULES
OF THE
CONSTITUTIONAL
CONVENTION
OF
MARYLAND**



1967

**STATE HOUSE
Annapolis**

R U L E S
OF THE
CONSTITUTIONAL
CONVENTION
OF
MARYLAND

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1967

STATE HOUSE
Annapolis

**CONSTITUTIONAL CONVENTION
OF MARYLAND**

OFFICERS

J. Millard Tawes, Honorary President

H. Vernon Eney, President

James Clark, First Vice-President

William S. James, Second Vice-President

Robert J. Martineau, Secretary

John C. Brooks, Chief of Staff

Ira J. Wagonheim, Chief Clerk

Richard Rothenburg, Sergeant at Arms

David L. Hattrick, Parliamentarian

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STANDING RULES

As Amended Through November 2, 1967

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STANDING RULES OF THE CONSTITUTIONAL CONVENTION

Adopted by the Constitutional Convention
at its Organization Meeting
July 11, 1967

As amended through November 2, 1967

CHAPTER I GENERAL PROVISIONS

Rule 1. Quorum and Majority. A majority of all the delegates to the Convention shall constitute a quorum for the transaction of business, but a smaller number may adjourn the Convention from day to day and may also compel the attendance of absent delegates by the means approved by a majority, but not less than fifteen, of the delegates present. A majority of all the delegates may prescribe penalties for the non-attendance of delegates.

When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a greater number shall be required either by these rules or by Section 10 or Section 13 of Chapter 4 of the Acts of the General Assembly of 1967.

All sessions of this Convention and all meetings of its committees shall be open to the public at all times, and no rules shall be promulgated which in any way infringe upon the public's right to information about the Convention.

Rule 2. Admission to Floor—Defined. No person, other than a delegate, officer or employee of the Convention, accredited news correspondent or person invited by the president, shall be admitted on the floor of the Convention immediately preceding the time set for any call to order and immediately following adjournment. Only delegates, officers and employees and such other persons as may be authorized by the president shall be admitted to the floor of the Convention during the session. The phrase "floor of the Convention" means the room or chamber where the Convention sits in session, excluding the space designated for visitors and for the press.

CHAPTER II

OFFICERS AND EMPLOYEES

Rule 3. Officer of the Convention. The officers of the Convention shall be an honorary president, a president, a first vice-president, and a second vice-president, all of whom shall be elected by the Convention by the vote of a majority of all the delegates, by roll call

vote. There shall also be a secretary, a chief clerk, a sergeant at arms, a parliamentarian, a historian, and such other officers as may be necessary from time to time, all of whom shall be selected in such manner as may be determined by resolution of the Convention adopted by a majority of all the delegates. The honorary president, president and vice-presidents shall be delegates and shall receive no additional compensation for services performed as officers. All officers and employees of the Convention, other than the honorary president, the president and the vice-presidents, shall be persons who are not delegates and their compensation shall be fixed by the president.

THE PRESIDENT

Rule 4. Duties of Presiding Officer. The president shall preside at sessions of the Convention and of the Committee of the Whole, and exercise the usual powers and perform the usual duties of a presiding officer. He shall preserve order and decorum and fairly assign floor rights. He may speak to points of order and, subject to an appeal to the Convention or to the Committee of the Whole, shall decide points of order.

Rule 5. Appointment by the President. The president, after consultation with the vice-presidents, and after giving due consid-

eration to the requests of the various delegates, shall appoint a chairman and the members of all committees. All appointments shall be announced to the Convention and entered upon the Journal. Each committee shall elect one of its members to be the vice-chairman. The vice-chairman shall perform all the duties and functions of the chairman in the absence of the chairman.

Rule 6. Administration of Convention. Except as otherwise provided the president shall appoint, and assign duties to, all employees of the Convention. The president, with the consent of the chairman of each standing committee, shall appoint the staff of such committee.

Rule 7. Authority of President. The president shall be chief executive of the Convention and all other officers and employees shall be responsible to his general supervision.

Rule 8. Naming of the President Pro Tem. The president may appoint any delegate to preside temporarily at any session of the Convention or of the Committee of the Whole, but not for longer than one day at a time without leave of the Convention.

Rule 9. Voting. The president may vote in all elections, on all divisions called for by any delegate, and on all questions taken by ayes

and nays, except that the president may not vote twice, once to cause a tie vote and then again to break it.

VICE-PRESIDENTS

Rule 10. Powers and Duties. If the president is temporarily absent or temporarily unable to preside, the first vice-president, or, in the absence or inability of the first vice-president to preside, the second vice-president, shall exercise the powers and perform the duties of the president and shall preside over the Convention or the Committee of the Whole, unless the president shall have designated another delegate as president **pro tem** for that session or that day. If a vacancy occurs in the office of president, the first vice-president shall temporarily exercise the powers of the office of president until the Convention elects a president to fill the office. If a vacancy occurs in the office of the first vice-president, the second vice-president shall succeed thereto. The Convention shall fill any vacancy in the office of second vice-president.

SECRETARY

Rule 11. Responsibilities of the Secretary. The secretary shall be the chief administrative officer of the Convention and shall be primarily responsible for its administration, under the direct authority of the president.

The secretary, under the supervision and authority of the president, shall be responsible for the employment and assignment of personnel, the supervision of payroll, the registration of lobbyists or any special interest groups pursuant to any requirements imposed by rule or resolution of the Convention, and communications with the press. He shall be director of the Convention's budget and shall supervise the acquisition and care of facilities, services and supplies needed by the Convention.

The secretary, with the president, shall certify to the secretary of state the proposals for a new constitution and the form thereof as approved by the Convention for submission to the electorate on May 14, 1968, in accordance with Section 15 of Chapter 4 of the Acts of the General Assembly of 1967.

CHIEF CLERK

Rule 12. Roll Call. The chief clerk shall call the roll at the opening of each session of the Convention and the president shall announce whether or not a quorum is present.

Rule 13. Journal and Transcript. The chief clerk shall furnish to each delegate a copy of the journal of the proceedings of the Convention for the previous day which, when approved by the Convention, shall be the official journal of the Convention. The chief clerk

shall also keep a verbatim record of the proceedings of sessions of the Convention and meetings of the Committee of the Whole.

Rule 14. Order of Business. The chief clerk shall furnish to each delegate the daily calendar and agenda of the business of each session of the Convention provided for by Rule 60 and a copy of each proposal as soon as practicable.

SERGEANT AT ARMS

Rule 15. Powers and Duties. The sergeant at arms shall be the chief police officer of the Convention.

PARLIAMENTARIAN

Rule 16. Duties. The parliamentarian shall be advisor and counsel to the presiding officer on all matters of parliamentary procedure; however, all parliamentary rulings shall be the responsibility of, and shall be made by, the presiding officer.

HISTORIAN

Rule 17. Duties. The historian shall be responsible for collecting, compiling, documenting and preserving all proceedings of the Convention and its several committees. He shall also oversee the publication of any of the historical records and documents of the Convention.

CHAPTER III

DELEGATES

Rule 18. Conduct in Debate. When any delegate is about to speak in debate or to present any matter to the Convention, he shall rise from his seat, and address himself to "Mr. President"; he shall not speak until recognized and when recognized he shall confine himself to the question under consideration and avoid personalities.

Rule 19. Delegates Called to Order. The president or any delegate may challenge any other delegate who, on speaking, violates the rules of the Convention. Upon such challenge, the president may order the speaker to sit down. The president's order to sit down, or the failure of the president to order the speaker to sit down, may be appealed.

Rule 20. Times Delegate May Speak. Except as provided by Rule 38, no delegate may speak more than once on the same question without leave of a majority of those present and voting, unless he be the mover of the matter pending or chairman of the committee that reported it, in which case he shall be privileged to speak twice.

Rule 21. [General Limit on Debate.] Except upon the affirmative vote of a majority of the delegates then present and voting, no

delegate may speak longer than fifteen (15) minutes without being required by the presiding officer to yield the floor. The restriction imposed by this Rule shall not be applicable to chairmen and vice-chairmen of committees when the latter are presenting a report of their committee to the Convention or to the Committee of the Whole, and the same exemption from the requirement of this Rule shall also be applicable in the case of the chief spokesman for a minority report of a committee of the Convention.

Rule 22. Seating. Except in the case of the delegates who have been elected as officers of the Convention, the seats of the delegates on the Convention floor shall be arranged in alphabetical order by surnames. If a vacancy occurs the person selected to fill the vacancy shall continue to have the seat of the delegate who vacated the position.

CHAPTER IV

COMMITTEES

Rule 23. Establishment and Meetings. The standing committees of the Convention shall be:

1. Committee on Personal Rights and the Preamble
2. Committee on Suffrage and Elections

3. Committee on the Legislative Branch
4. Committee on the Executive Branch
5. Committee on the Judicial Branch
6. Committee on Local Government
7. Committee on State Finance and Taxation
8. Committee on General Provisions
9. Committee on Style, Drafting and Arrangement
10. Committee on Calendar and Agenda of the Convention
11. Committee on Rules, Credentials and Convention Budget
12. Committee on Public Information

Committees 1 through 8 shall be considered substantive committees and each delegate shall be entitled to serve on one of these eight committees.

Each committee shall meet at the call of its chairman or by the written request of a majority of its members.

A recorded roll call vote on any matter before a committee shall be taken on demand of any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar,

both of which shall be available to the delegates, news media and interested members of the public.

Additional committees may be established by resolution of the Convention.

Rule 24. Vacancies. In case of a vacancy or the prolonged absence of the chairman and vice-chairman, the president of the Convention shall appoint a chairman to act until the chairman or vice-chairman shall return.

Rule 25. Sitting of Committees during Sessions of the Convention and the Committee of the Whole. No committee, except the Committee on Calendar and Agenda of the Convention, shall sit during the sessions of the Convention or of the Committee of the Whole, without having first obtained special leave of the president, or of the Convention or of the Committee of the Whole by the affirmative vote of a majority of those present and voting.

Rule 26. Power to Incur Expenses. No delegate or committee shall incur any expense chargeable to the Convention unless such expense is approved by the president or is authorized by resolution of the Convention. No motion or resolution calling for an expenditure of money shall be acted upon by the Convention without first being referred to an appropriate committee for consideration and recommendation.

Rule 27. Subcommittees. A committee, by the affirmative vote of a majority of its members, may provide for the appointment by the committee chairman of subcommittees composed of delegates who are members of the committee. Reports of subcommittees shall be considered by the entire committee before the committee recommends any action thereon by the Convention.

Rule 28. Notice of Reports. A committee shall notify all delegates who have introduced proposals on the same subject matter of the time and place where they may meet with the committee to explain such proposals, and the notice required by this rule shall be given at least twenty-four hours before the committee takes final action. The requirements imposed by this rule shall not be applicable with respect to delegate proposals introduced after October 27, 1967.

Rule 29. Report of Committees. The affirmative vote of a majority of the members of a committee having the right to vote shall be necessary to report a proposal out of committee. The report of a minority of at least twenty per cent of the members of any committee having the right to vote shall be received, printed in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on

the floor. All proposals reported by a committee to the Convention shall be referred to the Committee of the Whole. All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's action.

Rule 30. [Last Day for Committee Reports.] Except upon the affirmative vote of a majority of the delegates present and voting, the Committee of the Whole will receive no final report of a substantive committee after November 17, 1967.

Rule 31. Committee Meetings and Hearings. Committees may hold meetings or public hearings at the seat of the Convention and may be authorized by the Convention to hold meetings or public hearings at any other place. A committee may grant the powers here authorized to any subcommittee. A committee, with the approval of the president, may direct that a verbatim record be kept of any portion of its proceedings.

Rule 32. Consideration of Proposals without Committee Recommendation. After one session day's notice a committee, on motion passed by the affirmative vote of a majority of all the delegates, may be required to report, with or without a recommendation, any proposal referred to the committee.

CHAPTER V

COMMITTEE OF THE WHOLE

Rule 33. General Orders of the Day. All proposals reported by any committee of the Convention shall be referred to the Committee of the Whole and kept in the file called "General Orders of the Day." No committee proposal shall be considered by the Committee of the Whole until the third day after it has been referred to the Committee of the Whole, unless the Convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

Rule 34. Consideration of Proposals. When the Convention reaches consideration of the General Orders of the Day, it shall then sit as the Committee of the Whole to consider such orders, or to consider a particular order designated by the Convention by the affirmative vote of a majority of those present and voting. Unless a particular proposal has been specially designated by the Convention for consideration out of turn, the Committee of the Whole shall consider, act upon, or pass over the General Orders of the Day in the order in which they were referred to the Committee.

Rule 35. Amendments in Committee of the Whole. Amendments offered in Committee of the Whole shall be subject to Rule 50, **Amendments to Be Printed.**

Rule 36. Motion that Committee of the Whole Rise. A motion that the Committee of the Whole rise shall always be in order unless a member of the Committee is speaking or a vote is being taken, and such motion shall be decided without debate by vote of a majority of those present and voting.

Rule 37. Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole and may be adopted before the Committee rises by the affirmative vote of a majority of those present and voting.

Rule 38. Application of Convention Rules. The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that the Committee of the Whole cannot adjourn the Convention; no question may be laid on the table; the previous question shall not be ordered; the vote of a majority of the Committee shall govern its action; any motion to postpone further consideration shall be debatable for ten (10) minutes on each side, no speech thereon to exceed two (2) minutes; the Committee cannot refer matters to any other committee, except the Committee on

Style, Drafting and Arrangement; and a motion to postpone indefinitely or for a Call of the Convention shall not be in order. A delegate may speak more than once in the Committee of the Whole. A quorum in the Committee of the Whole shall be 72.

Rule 39. Limitation of Debate. Before a proposal is taken up by the Committee of the Whole, any delegate (with the Chairman of the Committee on Calendar and Agenda to have the prior right) shall be privileged to move that a limitation be placed upon the time of the debate and consideration of such proposal by the Committee of the Whole, provided that equal time is to be afforded to the proponents and the opponents of such proposal, and the Committee may fix in advance of consideration of a proposal or proposals a time for Committee to rise and report.

CHAPTER VI

TRANSACTION OF BUSINESS

Rule 40. Order of Business. The order of business of the Convention shall be as follows:

1. Call to order and preliminary matters.
2. Invocation.
3. Roll Call.

4. Report of Committee on Calendar and Agenda.
5. Reports of other standing committees.
6. Reports of select committees.
7. Communications from state officers.
8. Introduction and first reading and reference of proposals.
9. Second and final reading of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

PETITIONS

Rule 41. Printing in Journal. No memorial, remonstrance, or petition shall be read or printed in full in the Journal unless ordered read or printed by the affirmative vote of a majority of those present and voting.

MOTIONS AND RESOLUTIONS

Rule 42. Stating Motions. When a motion is made, it shall be stated to the Convention by the president; or, if in writing, it shall be handed to the chief clerk and read aloud to the Convention before being debated.

A "motion" within this rule includes only the privileged motions listed in Rule 45 or a motion of merely procedural character, such as to take from the table, to send the sergeant-at-arms for absentees, etc. All other matters (except delegate proposals and committee recommendations) shall be presented as resolutions.

Every resolution, other than a proposal, shall be submitted in quintuplicate, shall be read by title, and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full to the Convention before it is considered.

Rule 43. Reduced to Writing. Every motion shall be reduced to writing if the president or any delegate shall request it, and shall be entered upon the Journal, together with the name of the delegate making it, unless the motion is withdrawn by the maker or is ruled out of order by the president.

Rule 44. Withdrawal of Motions. After a motion has been stated by the president or read by the chief clerk, it shall be deemed to be in the possession of the Convention, but it may be withdrawn by the maker at any time before being amended or put to vote.

Rule 45. Privileged Motions. When a question is under debate, no motion shall be received but—

1. To amend the calendar and agenda.
2. To fix the time to which to adjourn.
3. To adjourn.
4. To take a recess.
5. To reconsider.
6. To call for the Orders of the Day.
7. To lay on the table.
8. For a Call of the Convention.
9. To limit debate.
10. To move the previous question.
11. To postpone to a day certain.
12. To postpone indefinitely.
13. To commit.
14. To amend.

The motions listed in this rule shall take precedence in the order in which they stand arranged. All of them shall be decided by the vote of a majority of those present and voting, except that any motion to postpone indefinitely shall be decided by the affirmative vote of a majority of all the delegates to the convention. When a recess is taken while a question is pending, consideration of such

question shall be resumed when the Convention reassembles, unless it determines otherwise. No motion to postpone to a day certain, or to commit, having been decided by the Convention, shall again be in order on the same day or at the same stage of the question. Whenever a proposal is being considered and a motion is then made, either to postpone indefinitely or to commit, amendments to the pending proposal shall first be in order before any vote is taken on any such motion.

Rule 46. Motions Not Debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn, or a motion to amend the calendar and agenda, is pending. A motion to adjourn, a motion to lay on the table, a motion for a recess pending the consideration of other business and all matters relating to questions of order, shall be decided without debate.

Rule 47. Motion to Take from the Table. After one session day's notice any matter laid on the table may be taken therefrom on motion, provided, that the business of the class of the matter to be taken from the table would then be in order.

Rule 48. Order of Putting Questions. All questions shall be put in the order in which they are moved, except in the case of privileged motions.

Rule 49. Amendment Must be Germane. No motion or proposition relating to a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 50. Amendments to Be Printed. No amendment to any committee recommendation or delegate proposal shall be considered unless it is submitted in writing and a copy thereof delivered to the floor desk of each delegate prior to the time the amendment is offered.

Rule 51. Division of Question. Any delegate may call for a division of the question, which shall be divided if it includes propositions which are so distinct in substance that when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall not be subject to division within the meaning of this rule.

Whenever a question has been divided, no final vote shall taken on any division until all of the divisions thereof have been considered for amendment, after which further amendments to any division shall be in order, and thereafter each division will be put to final vote.

MOTIONS CALLING FOR THE PREVIOUS QUESTION

Rule 52. Method of Ordering. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and, unless otherwise stated, the motion shall apply to the pending question only. The presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the delegates present and voting. After the seconding of a motion for the previous question and prior to the ordering of the same, a Call of the Convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the ayes and nays, points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, all of which shall be decided without debate. The effect of ordering the previous question shall be to put an end to all debate and bring the Convention to a direct vote upon the pending question. When a motion to reconsider has been taken under the previous question and decided in the affirmative, the fact that the previous question had been ordered shall have no operation or effect with respect to the question for which reconsideration has been ordered. If the Convention refuses to order the previous question,

it shall resume consideration of the pending subject as though no motion for the previous question had been made.

Rule 53. Sine Die Adjournment. A motion to adjourn the Convention **sine die** shall not be voted upon until at least forty-eight hours after notice is given to the delegates; and to pass this motion requires an affirmative vote of a majority of all the delegates to the Convention.

Rule 54. Reconsideration in Convention.

(a) Any question finally adopted or rejected by the Convention may be reconsidered on motion of any delegate at any time before the Convention adjourns **sine die**.

(b) No question may be reconsidered more than once, except if the reconsideration is moved by direction of the Committee on Style, Drafting, and Arrangement, or by the Convention committee which reported on the matter to be reconsidered, or if moved after submission of a petition signed by fifteen (15) delegates to the Convention.

(c) A motion to reconsider in Convention may not be called up until the second session day after it is moved, and shall require an affirmative vote of a majority of the delegates to the Convention.

(d) A motion to reconsider in Convention may be laid on the table independent of the question to be reconsidered; but a motion to reconsider moved by direction of a committee or pursuant to petition of the required number of delegates as provided above shall be in order without regard to the tabling of any previous motion to reconsider.

MOTION FOR CALLS OF THE CONVENTION

Rule 55. Quorum Calls. A call of the Convention may be ordered if there is an absence of a quorum.

Rule 56. Procedure. The roll of the Convention shall be called by the chief clerk and the absentees noted. The sergeant at arms may, upon motion, be dispatched after the absentees. In such case, a list of the absentees shall be furnished by the chief clerk to the sergeant at arms, who shall bring such absentees to the floor of the Convention with all possible speed. In case the sergeant at arms shall require assistance in addition to the regularly appointed assistant sergeant at arms of the Convention, the president, upon motion, may deputize as a special assistant sergeant at arms any person properly qualified. The Convention may proceed to business under a Call of the Convention pending the arrival of any absentees.

PROPOSALS AND RECOMMENDATIONS

Rule 57. Introduction. Any suggestion, proposition or draft intended to become a part of any revised constitution, or amendment thereto or schedule to be attached thereto shall be called a delegate proposal or a committee recommendation. A proposal introduced by a delegate shall be designated a delegate proposal and a proposal submitted by a committee shall be designated a committee recommendation. A delegate proposal shall be endorsed by the delegate or delegates introducing it and a committee recommendation shall be endorsed by the chairman of the committee submitting it. Five copies of every delegate proposal or committee recommendation shall be delivered to the chief clerk who shall cause the same to be suitably numbered, printed and distributed to delegates as promptly as possible.

Rule 58. Order of Consideration. The prescribed order in which proposals introduced in the Convention are to be taken up or acted upon shall be as follows:

1. Introduction, first reading by title, reference to a committee by the president, and ordered printed and distributed unless otherwise ordered by a majority of the delegates present.
2. Report of the committee and placing on the General Orders.

3. Consideration by the Committee of the Whole in order of their reference.
4. Report by the Committee of the Whole and reference to the Committee on Style, Drafting, and Arrangement.
5. Report of the Committee on Style, Drafting, and Arrangement.
6. Second reading, final passage of each proposal.
7. Re-reference to the Committee on Style, Drafting, and Arrangement for incorporation in final draft.
8. Report by the Committee on Style, Drafting, and Arrangement of any complete revision of, or proposed amendment to, the Constitution.
9. Third reading and final passage of any complete revision of, or proposed amendment to, the Constitution.

Rule 59. Majority Vote on Proposals. On the final passage of every proposal, section, article and of any complete revision of or amendment to the Constitution, the vote shall be taken by ayes and nays and entered on the Journal and no proposal, section, article, or any such amendment or complete revision, shall be declared final passed unless a majority of all the delegates to the Convention shall have voted in favor of the passage of the same.

Rule 60. Calendar. The Committee on Calendar and Agenda of the Convention shall prepare a calendar and order of business for each session of the Convention. The calendar shall be furnished to the chief clerk, who shall distribute it to the delegates before the time set for the next session of the Convention. The Convention, at any time or from time to time during a session, may, by the affirmative vote of a majority of those present and voting, adopt, reject, or modify the daily calendar and agenda presented to it.

SPECIAL ORDERS

Rule 61. Unfinished Special Orders. Any subject matter which has been made a special order for a particular day, but which is not reached on that day, shall then come up for consideration under the order of "Unfinished Business" at the next succeeding session of the Convention.

CHAPTER VII

MISCELLANEOUS

READING AND ENDORSEMENT OF PAPERS

Rule 62. Reading. When the reading of a paper, including the Journal, is called for and an objection is raised to such reading, the Convention by a majority vote of delegates

present and voting shall determine without debate whether or not the paper shall be read.

Rule 63. Presentation and Endorsement of Petitions. Petitions received by an officer of the Convention or by any delegate may be initialed by the recipient, and handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the Convention, shall give appropriate notice of the receipt of the petition.

Rule 64. Calls of Convention—Ayes and Nays. Upon Calls of the Convention, and in taking the ayes and nays upon any question, the names of the delegates shall be called alphabetically.

Rule 65. Putting the Question. The president shall put all questions substantially in this form: "As many as are in favor of (as the question may be) say 'aye' "; and after the affirmative vote is expressed, "as many as are opposed say 'no'." If the president is in doubt as to the vote, he may order a roll call vote of the Convention.

A roll call vote of the Convention may be had upon the demand of ten delegates.

Rule 66. Recognition during Roll Call. After a question has been stated by the presi-

dent, and the call of the roll has been started by the chief clerk, the president shall not recognize a delegate for any purpose except upon points of order, until after the announcement of the vote by the chief clerk. The chief clerk shall enter upon the Journal the names of those voting "aye" and the names of those voting "no".

Rule 67. Roll Call. At the roll call to be taken at the opening of each session and upon Calls of the Convention, the names of the members shall be called by the chief clerk, and the absentees noted.

Rule 68. Amendment or Suspension of Rules. These rules may be amended by the affirmative vote of a majority of all the delegates to the Convention after the proposed amendment has been submitted in writing, has been considered by the Committee on Rules, Credentials and Convention Budget, and has been in the possession of the delegates not less than two session days prior to its consideration. A rule may be suspended by the affirmative vote of a majority of all the delegates to the Convention.

APPEALS

Rule 69. Form of Question. On all appeals from decisions of the Chair, the question shall be "Shall the appeal be sustained?" A favorable vote of a majority of the delegates

present and voting shall sustain the appeal. The presiding officer may cast his vote on an appeal from his decision, and he shall have the right to explain his decision.

Rule 70. Tabling Appeals. An appeal may be laid on the table but shall not, as a consequence, thereby either remove or carry with it the subject matter pending before the Convention at the time the appeal was taken.

Rule 71. Practice. In all cases not covered by these rules, or by any subsequent amendments to them, the controlling parliamentary authority shall be **Robert's Rules of Order Revised** (1951 Edition).

METHOD OF VOTING

Rule 72. Voting by the Electrical Roll Call System. When taking the ayes and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'aye', all opposed shall vote 'nay'. The Convention will now proceed to vote".

After affording the delegates sufficient time in which to vote, the presiding officer shall announce: "Have all voted?" and after a short pause he shall then say: "Does any delegate desire to change his vote?" and after another short pause he shall say: "The chief clerk shall proceed to record the vote."

The chief clerk shall immediately start the vote recording equipment, and when completely recorded, the president shall announce the result to the Convention. The chief clerk shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the chief clerk has recorded the vote.

No delegate shall vote for another delegate, nor shall any person not a delegate cast a vote for any delegate. Any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the Convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention may determine proper.

CHAPTER VIII

LOBBYISTS

Rule 73. Registration and Regulation. The Convention, by resolution adopted by a majority of all the delegates, shall have authority to issue rules or regulations with respect to the registration and appearance before it, or before any of its authorized committees or subcommittees, of any person engaged or hired, for a fee, salary or other compensation, to promote, advocate, influence or oppose any matter pending before the Convention, or which might come before it or any of its committees or subcommittees. Such rules and regulations may include requirements that such persons shall register with the secretary and file such report of expenditures as may be required by such rules and regulations.

CHAPTER IX

COMPENSATION OF DELEGATES

Rule 74. Expense Allowance. An expense allowance of twenty-five dollars (\$25.00) per day shall be allowed to each delegate for each working day in attendance at the Convention on or after September 12, 1967. For purposes of this allowance, a delegate shall be considered to be in attendance at a working day of the Convention if present at any session of the Convention or any meeting of any

authorized committee or subcommittee of the Convention on that day.

Rule 75. Salary. A flat salary of two thousand dollars (\$2000.00) shall be allowed to each delegate to the Convention with a deduction of fifteen dollars (\$15.00) for each day of unexcused absence from sessions of the Convention or meetings of authorized committees or subcommittees thereof. For the purpose of this deduction, a delegate shall not be considered to have incurred an unexcused absence on any day that the delegate is in attendance at any session of the Convention or meeting of any authorized committee or subcommittee thereof.

Rule 76. Excused Absences. A delegate shall be excused by the President from attendance at sessions of the Convention or meetings of any authorized committee or subcommittee thereof due to illness, death in the immediate family or other reason beyond the control of the delegate and the excused absence shall be entered upon the minutes.

Rule 77. [Filling of Vacancies.] (a) Upon the announcement to the Convention of the resignation or death of a delegate, the President shall, at the next session day following such announcement, appoint a Select Committee, as hereinafter set forth, to nominate to the Convention by a majority vote of the Select Committee not more than three per-

sons qualified in accordance with Section 7, Chapter 4, 1967, to fill such vacancy, along with a concise written statement of the abilities and experience of each of the persons whose names are so reported.

(b) On the third session day after the report to the Convention of the Select Committee shall have been received, if only one person shall have been nominated by the Select Committee, the question shall be put on the confirmation of the person so nominated. In the event the nomination is not approved by the Convention, the Convention shall proceed as set forth in 77(d). In event more than one person is nominated by the Select Committee, an election shall be held by the Convention to select from among the persons nominated by the Select Committee, a person to fill the vacancy. The person receiving a majority of the votes cast shall be declared elected. If no person shall receive a majority of the votes cast, a second election shall be held on the same session day between the two persons receiving the highest number of votes in the first election, and the person receiving the majority of the votes cast at the second election shall be declared elected.

(c) The Select Committee shall consist of not less than three persons except as hereinafter provided, and shall include all the remaining delegates of the county or legisla-

tive district of the delegate whose death or resignation created the vacancy in the Convention. In event of only two delegates remaining, the First Vice-President shall be a member of the Select Committee. In event of only one delegate remaining, the First Vice-President and the Second Vice-President shall be members of the Select Committee. In event of no delegates remaining, the First Vice-President and the Second Vice-President shall be the Select Committee.

(d) In the event the Select Committee shall fail to report to the Convention on or before ten session days after the appointment of the Select Committee, persons qualified to fill such vacancy may be nominated from the floor. The names of the person or persons so nominated shall be referred to the Committee on Rules, Credentials and Convention Budget. Upon report by the Committee on Rules, Credentials and Convention Budget that the person or persons nominated are qualified in accordance with Section 7, Chapter 4, 1967, to fill the vacancy, the Convention shall proceed in the same manner as if the person or persons had been nominated by a Select Committee.

APPENDIX A

REGULATIONS WITH RESPECT TO THE REGISTRATION AND APPEARANCE OF LOBBYISTS BEFORE CONVENTION OR ANY OF ITS AUTHORIZED COMMITTEES OR SUBCOMMITTEES

ADOPTED AND EFFECTIVE
SEPTEMBER 22, 1967

1. Persons Covered.

(a) When used in this regulation the term “agent” includes: Every person engaged or hired by any person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, for a fee, salary or other compensation, including persons engaged or hired for an additional purpose, to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention; and

(b) When used in this regulation the term “representative witness” includes: Every person who, without fee, salary or other compensation other than reimbursement for expenses, as representative of any other person or of any firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division,

appears before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention.

When used in this regulation the terms "agent" and "representative witness" do not include an officer, elected or appointed official or regular employee of the State of Maryland or of any political sub-division of the State of Maryland who in the performance of his customary and regular duties as such officer, employee or elected or appointed official appears before the Convention, the Committee of the Whole or any committee or subcommittee of the Convention.

2. Time of Registration. No agent or representative witness will be permitted to appear before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention unless he shall be properly registered on the dockets for the registration of agents and representative witnesses which shall be maintained by the secretary of the Convention. Before any agent shall undertake to promote, advocate, influence or oppose, directly or indirectly, any matter by communicating with any delegate, officer or member of the staff of the Conven-

tion, the agent shall be properly registered on the docket for the registration of agents. If the office of the secretary of the Convention is not available to accept the registration of an agent before the agent communicates with any delegate, officer or member of the staff of the Convention, the agent shall register with the secretary of the Convention as soon as possible, and in any event within three (3) calendar days after the agent communicates with any delegate, officer or member of the staff of the Convention.

3. Registration and Confirmation. An agent or a representative witness shall register by appearing personally at the office of the secretary of the Convention or by a written and signed statement addressed to the secretary of the Convention at Annapolis. To register, the agent or representative witness shall state his name, occupation, business and residence addresses, the name and business and residence addresses of the person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, by whom he has been engaged or hired or whom he represents, and the matter, proposal or area of interest with which he is concerned. If the representative witness has not been engaged or hired for any fee, salary or other compensation other than reimbursement for expenses, he shall so state.

Within ten (10) days after an agent or representative witness has registered, the agent or representative witness shall file with the secretary of the Convention a written and signed confirmation by the person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division by whom he has been hired or engaged or whom he represents which shall confirm the information stated by the agent or representative witness to the secretary of the convention upon registration and which shall be signed by a principal officer of the firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division.

4. Failure to Comply. An agent or representative witness who fails to comply with the provisions of this regulation may by a majority vote of the Convention upon recommendation of the Committee on Rules, Credentials and Convention Budget be prohibited from appearing before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention for a limited time or until the Convention adjourns *sine die*. The Committee on Rules, Credentials and Convention Budget before it recommends to the Convention that an agent or representative witness be temporarily or permanently prohibited from appearing shall notify the agent in writing by certified mail of the

reasons for such recommendation and shall afford the agent or representative witness an opportunity to appear before the Committee on Rules, Credentials and Convention Budget at a date and time which shall be not less than ten (10) calendar days after receipt by the agent or representative witness of the written notice of the reasons for the Committee's recommendation.

5. Reports. Every registered agent or representative witness shall between the first and the tenth calendar day of each month while the Convention is in session file with the secretary of the Convention and shall within thirty (30) calendar days after the Convention adjourns *sine die* file with the Secretary of State a complete and itemized cumulative statement of all receipts and disbursements, including reimbursed expenses, received or disbursed by him to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole or any committee or subcommittee of the Convention.

An agent who has been engaged or hired for an additional purpose by the person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, for whom he acts as agent shall report among his receipts that part of his fee, salary or other

compensation reasonably allocable for the performance of his duties as agent and shall state the basis for the allocation.

The itemization of disbursements shall include at least the following: Travel and transportation, meals, lodging, entertainment in excess of Ten Dollars (\$10.00) for each item, secretarial services, printing and publication and office expenses.

6. Public Records. The registration of agents and representative witnesses with the secretary of the Convention and the statements of receipts and disbursements filed by them with the secretary of the Convention and the Secretary of State shall be available for public inspection. The secretary of the Convention shall give every delegate written notice of the registration of agents and representative witnesses as promptly as possible.

7. Contingent Compensation. No person, firm, corporation, association, political subdivision or agency of the State of Maryland or of any political sub-division shall engage or hire any person to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole or any committee or subcommittee of the Convention, for a fee, salary or other compensation that is determined in

whole or in part with reference to the result accomplished and no person shall accept any such employment or render any such service for a fee, salary or other compensation that is determined in whole or in part with reference to the result accomplished.

8. Exemption. The provisions of this regulation shall not be construed as affecting professional services in drafting a proposed constitutional amendment or in advising clients or in rendering opinions as to the construction and effect of any constitutional amendment which may be considered at the Convention where such professional service is not otherwise connected with constitutional convention action or services as an agent or as a representative witness.

APPENDIX B

ADOPTED OCTOBER 30, 1967

TITLE

A RESOLUTION that each delegate shall have only one (1) vote on only one (1) substantive committee and matters generally relating thereto, to read as follows:

RESOLVED, that each delegate shall have only **one** (1) vote on only **one** (1) substantive committee; and be it further

RESOLVED, That the three (3) delegates presently voting on more than one (1) substantive committee shall continue to be liaison members to other substantive committees but shall not be a voting member except on the one substantive committee to which they are assigned to exercise their vote.

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N. MANCHESTER,
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